

<b>Application Number</b> 	Application No. 10/790,304	Applicant(s) MURPHY ET AL.

<b>TERMINAL DISCLAIMER</b>	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Document Code - DISQ	<b>This patent is subject to a Terminal Disclaimer</b>	
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## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : John S. Murphy, et al.

TITLE : BAGLESS CANISTER VACUUM CLEANER

APPLICATION NO. : 10/790,304

FILED : March 1, 2004

CONFIRMATION NO. : 9303

EXAMINER : Jason M. Greene

ART UNIT : 1724

LAST OFFICE ACTION : July 20, 2004

ATTORNEY DOCKET NO. : RYLZ 2 00658-1  
Cleveland, OH 44114  
October 19, 2004

**TERMINAL DISCLAIMER TO OBLVIAE A DOUBLE PATENTING  
REJECTION (37 CFR 1.321(b))**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**Identification Of Person(s) Making This Disclaimer**

Name(s) of disclaimant: Jay F. Moldovanyi of Fay, Sharpe, Fagan, Minnich & McKee, LLP, 1100 Superior Avenue, Seventh Floor, Cleveland, Ohio 44114, represent that I am a representative authorized to sign on behalf of the assignee identified below.

**Identity of Assignee and  
Title of Disclaimant (if applicable)**

The Assignee is

Name of Assignee Royal Appliance Mfg. Co.

Address of Assignee 7005 Cochran Road,  
Glenwillow, Ohio 44139

Title of disclaimant Registered Attorney for Assignee authorized to sign on behalf of  
Assignee

**Recordal of Assignment in PTO**

the assignment was recorded on August 31, 2001 at Reel 012137 Frame 0545.  
 authorization for recordal of the assignment is separately attached

**Extent of Interest**

The extent of my (our) interest is in

the whole of the invention  
 a sectional interest in this invention as follows (here state the exact interest of the disclaimant(s):

I state that the relevant evidentiary documents have been reviewed, and certify that to the best of my knowledge and belief, title is in the assignee taking this action.

**Disclaimer**

I hereby disclaim the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term

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 Any patent granted on application number 0 /

and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to

United States Patent No. 6,712,868  
 Any patent granted on application number 0 /,

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of

United States Patent No. 6,712,868 as presently shortened by any terminal disclaimer

Any patent granted on application number 0 /

in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer except for the separation of legal title stated above.

**Fee Status**

(37 CFR 1.20(d) and 37 CFR 1.321)

other than a small entity - fee \$ 110.00

small entity - fee \$ 55.00

#### FEE PAYMENT

Attached is a check in the amount of \$110.00

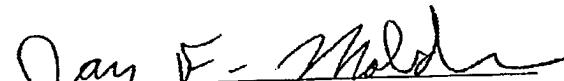
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Charge Deposit Account No. \_\_\_\_\_ in the \_\_\_\_\_ sum of \$ \_\_\_\_\_. A duplicate copy of this disclaimer is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP

  
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#### CERTIFICATE OF MAILING

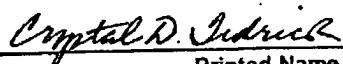
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